IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

UN	IITED STATES OF AMERICA	0.4400050	
	Plaintiff,) 8:11CR359)	
	vs.)) DETENTION ORDER	
NC	OAH MALIKO,))	
	Defendant.)	
A.	Order For Detention After conducting a detention hearing pursuant to 18 U.S.C. § 3142(f) of the Bail Reform Act on December 13, 2011, the Court orders the above-named defendant detained pursuant to 18 U.S.C. § 3142(e) and (i).		
B.	Statement Of Reasons For The Detention The Court orders the defendant's detention because it finds: X By a preponderance of the evidence that no condition or combination of conditions will reasonably assure the appearance of the defendant as required. By clear and convincing evidence that no condition or combination of conditions will reasonably assure the safety of any other person or the community.		
C.	(15 counts) in violation maximum sentence of thr (b) The offense is a crime of (c) The offense involves a nation wit: (2) The weight of the evidence again wit: (3) The history and characteristics of (a) General Factors: The defendant a may affect wheth The defendant has The defendant has The defendant of ties. Past conduct of to The defendant has T	Report, and includes the following: e offense charged: sisting in preparation of false tax returns of 26 U.S.C. § 7206(2) each carry a ee years imprisonment. violence. crotic drug. drug amount of controlled substances, to enst the defendant is high. of the defendant including: ppears to have a mental condition which er the defendant will appear. as no family ties in the area. as no steady employment. as no substantial financial resources. not a long time resident of the community. oes not have any significant community he defendant: use of an alias name. as a history relating to drug abuse. as a significant prior criminal record. as a prior record of failure to appear at	

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(b)	At the t	ime of the current arrest, the defendant was on:
		Probation
		Parole
		Release pending trial, sentence, appeal or completion of
	O., -	sentence.
(C)	Other F	
		The defendant is an illegal alien and is subject to
		deportation.
		The defendant is a legal alien and will be subject to
		deportation if convicted.
		The Bureau of Immigration and Custom Enforcement
		(BICE) has placed a detainer with the U.S. Marshal.
	X	Other: The defendant is a citizen of Zimbabwe and his
		mother and siblings reside in Zimbabwe with whom he
		maintains regular contact. He married a U.S. Citizen who
		resides in Omaha with their child. The defendant was
		arrested in Texas following the IRS investigation and
		interview. He has several arrests for failure to appear in
		local courts, one resulting in a bond forfeiture. The
		defendant is seeking asylum in the United States.

D. Additional Directives

Pursuant to 18 U.S.C. § 3142(i)(2)-(4), the Court directs that:

- The defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;
- 2. The defendant be afforded reasonable opportunity for private consultation with counsel; and
- 3. That, on order of a court of the United States, or on request of an attorney for the government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED: December 13, 2011. BY THE COURT:

s/Thomas D. Thalken United States Magistrate Judge